

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X

MICHAEL MULGREW, as President of the UNITED
FEDERATION OF TEACHERS, Local 2, American :
Federation of Teachers, AFL-CIO, VITO J. :
FOSSELLA, individually and as Staten Island :
Borough President, THE A. PHILIP RANDOLPH :
INSTITUTE, THE COALITION OF BLACK TRADE :
UNIONISTS, THE LABOR COUNCIL FOR LATIN :
AMERICAN ADVANCEMENT, JESSICA :
SCARCELLA-SPANTON, individually and as New : Civil Case No. 1:24-cv-01644-LJL
York State Senator, DAVID WEPRIN, individually : [rel. 1:24-cv-00367-LJL]
and as New York State Assemblyman, DAVID : [rel. 1:23-cv-10365-LJL]
CARR, individually and as New York City Council :
Member, NICOLE MALLIOTAKIS, individually and :
as United States Congresswoman, JOSEPH :
BORELLI, individually and as New York City :
Council Member, JAMES SKOUFIS, individually and :
as New York State Senator, ROB ROLISON, :
individually and as New York State Senator, AILEEN :
GUNTHER, individually and as New York State :
Assemblywoman, CHRISTOPHER EACHUS, :
individually and as New York State Assemblyman, :
KARL BRABENEC, individually and as New York :
State Assemblyman, BRIAN MAHER, individually :
and as New York State Assemblyman, MICHAEL :
REILLY, individually and as New York State :
Assemblyman, MICHAEL TANNOUSIS, individually :
and as New York State Assemblyman, KAMILLAH :
HANKS, individually and as New York City :
Councilmember, JAIME WILLIAMS, individually :
and as New York State Assemblywoman, ANDREW :
J. LANZA, individually and as New York State :
Senator, IWEN CHU, individually and as New York :
State Senator, MONICA MARTINEZ, individually :
and as New York State Senator, CLIFF HAGEN, :
TROY MCGHIE, MARTHA MAZIER, PAUL :
CAMINITI, CARLY BIANCHINI, HANNAH CHOI, :
FRANK GARCIA, LINDSEY LAMPF, :
:
:
Plaintiffs, :
:
:
- against - :
:
:
UNITED STATES DEPARTMENT OF :
TRANSPORTATION, FEDERAL HIGHWAY :
ADMINISTRATION, SHAILEN BHATT, in his :

official capacity as Administrator of the Federal :
Highway Administration, RICHARD J. MARQUIS, in :
his official capacity as Division Administrator of the :
New York Division of the Federal Highway :
Administration, the METROPOLITAN TRANSIT :
AUTHORITY, the TRIBOROUGH BRIDGE AND :
TUNNEL AUTHORITY, STEPHANIE :
WINKELHAKE, P.E., in her official capacity as Chief :
Engineer of the New York State Department of :
Transportation, the NEW YORK CITY :
DEPARTMENT OF TRANSPORTATION :
:
Defendants. :
:
----- X

DECLARATION OF ALAN KLINGER

Alan M. Klinger, an attorney duly admitted to practice before this Court, hereby declares pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am counsel for Plaintiffs in this action, and I am familiar with the pleadings and proceedings in this action.
2. I submit this Declaration in support of Plaintiffs' motion for leave to file a Second Amended Complaint.
3. Annexed hereto as Exhibit "A" is the Proposed Second Amended Complaint.
4. Annexed hereto as Exhibit "B" is a redlined version of the Proposed Second Amended Complaint, reflecting the proposed revisions to the First Amended Complaint.

Dated: July 26, 2024
New York, New York

STEPTOE LLP

By:

/s/ Alan M. Klinger

Alan M. Klinger

Dina Kolker

David Kahne

1114 Avenue of the Americas

New York, New York 10036

(212) 506-3900

aklinger@steptoe.com

Counsel for Plaintiffs